

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

APM&HS – A.P.A.T. orders dated 28-03-2003 in O.A.No.83/2003 filed by Dr.P.Sarath Kumar Babu – Implementation – Payment of arrears of honorarium to certain former daily honorarium doctors – Orders – Issued.

**HEALTH MEDICAL AND FAMILY WELFARE (B1) DEPARTMENT**

**G.O.Ms.No. 35**

**Dated.28-02-2011**

**Read the following:-**

1. Supreme Court of India judgment order dt.18-10-1995 in Civil Appeal No.4919/89 in W.P.(Civil) Nos.506/1988, 353/1988, 561/1988, 698/1988, 1086/1988 and 622/1989.
2. G.O.Ms.No.187, HM&FW (B2) Department, dated.06-06-1997.
3. A.P.A.T. orders dated 28-03-2003 in O.A.No.83/2003 filed by Dr.P.Sarath Kumar Babu.
4. C.A.No.618/2010 in O.A.No.83/2003 filed by Dr.P.Sarath Kumar Babu.
5. From the DPH&FW, Lrs.Rc.No.19182/E8C/2000, dated.16-03-2007, 16-10-2008, 22-12-2010 and 2-2-2011.

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**ORDER:**

During the years 1986-87, Government had accorded permission to appoint Doctors (Allopathic) on daily honorarium basis. Accordingly, the respective District Medical and Health Officers of the Districts and the Superintendents of the District Hospitals had appointed the Civil Assistant Surgeons (Allopathic) on daily wage basis to fill-up the vacant posts of Civil Assistant Surgeons in the State as a stop-gap arrangement. These Doctors continued to work on daily honorarium basis on interim directions of the Andhra Pradesh Administrative Tribunal/High Court.

2. Consequent to the Civil Appeal No.4919/89 in W.P.(Civil) No.506/1988 and batch of cases filed by some of the daily honorarium Doctors in Supreme Court, the Hon'ble Supreme Court directed that the appellants in Civil Appeal No.4919/1989 as well as the writ petitioners who were regularized after 1<sup>st</sup> April, 1990 should be given the regular pay scales of Civil Assistant Surgeons with effect from 1<sup>st</sup> April, 1990, and the arrears payable in pursuance of the directions shall be paid within three months.

3. In pursuance of the above Supreme Court judgment in Civil Appeal No.4919/1989 in W.P.(Civil) No.506/1988 and batch, Government have issued orders vide G.O.Ms.No.187, HM&FW (B2) Department, dated 06-06-1997 to pay arrears to the petitioners covered by the above judgment of Supreme Court from 01-04-1990 to till the date of regularization of their services, subject to the condition that 50% of the arrears are credited to the General Provident Fund Account of the respective petitioners and the remaining amount of arrears may be paid in two instalments.

4. In another W.P. (Civil) No. 137/98 filed by (8) other former Daily Honorarium Doctors who were not the petitioners in the Civil Appeal No.4919/1989 and batch W.Ps., Supreme Court delivered a similar judgment to pay arrears of salary from 01-04-1990 to the petitioners. Accordingly, orders were issued in G.O.Ms.No.119, HM&FW (B2) Department, dated 27-03-2000, to pay arrears to the Civil Assistant surgeons covered in judgment dated 08-02-1999 in W.P.(civil) No.137/98 from 01-04-1990 subject to the condition that 50% of the arrears shall be credited to the General Provident Fund Accounts of the respective petitioners and the balance of 50% of arrears shall be paid in one instalment.

5. Later, Dr.P.Sarath Kumar Babu, former daily honorarium doctor presently working as Associate Professor has filed O.A.No.83/2003 for conferring the same benefit of payment of arrears to daily honorarium doctors with effect from 01-04-1990 onwards till the date of their regularization, as accorded in G.O.Ms.No.187, HM&FW (B2) Department, dated 06-06-1997. The Hon'ble Tribunal while disposing the said O.A. in its order dated 07-01-2003 directed the respondents to confer the same benefit on the applicant also, if he is similarly situated, within a period of two months from the date of receipt of the order.

6. Dr.P.Sarath Kumar Babu has also filed C.A.No.618/2010 for not implementing the orders of Hon'ble A.P.A.T. in O.A. 83/2003.

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7. The Director of Public Health & Family Welfare in his report dated 16-10-2009 has stated that there are 31 doctors (including Dr.P.Sarath Kumar Babu) who worked as daily honorarium doctors and have to be paid arrears of salary with effect from 01-04-1990 till their regular appointment on par with the other doctors who were sanctioned payment of arrears of pay vide G.O.Ms.No.187, HM&FW (B.2) Department, dated 06-06-1997. Out of the above 31 doctors, certain doctors have filed different O.A.Nos.8368 of 2002 and 7447/2008 before Hon'ble A.P.A.T. and W.P.Nos.19653 of 2001, 16179/2002 and 6311 of 2004 before the Hon'ble High Court of A.P. The Director of Public Health & Family Welfare has therefore requested to issue necessary orders in the matter.

8. The matter has been examined by the Government keeping in view the Contempt Case filed by Dr.P.Sarath Kumar Babu in O.A.No.83/2003 and decided to pay arrears of honorarium to the applicant in C.A.No.618/2010 in O.A.No.83/2003 and 30 other similarly situated doctors from 01-04-1990 to till the date of regularization of their services, subject to the condition that 50% of the arrears of salary shall be credited to the respective General Provident Fund Accounts of the petitioners and the remaining 50% of the arrears shall be paid in one instalment.

9. Accordingly, Government hereby order for payment of Rs.35,28,511/- (Rupees thirty five lakhs twenty eight thousand five hundred and eleven only) towards arrears of honorarium to the applicant in O.A.No.83/2003 i.e., Dr.P.Sarath Kumar Babu and (30) other doctors as per the list annexed to this G.O., from 01-04-1990 to till the date of regularization of their services subject to the condition that 50% of the arrears of salary shall be credited to the respective General Provident Fund Accounts of the petitioners and the remaining 50% of the arrears shall be paid in one installment.

10. The above expenditure shall be incurred from the following Head of Account :-

2210 – Medical Public Health  
03 - Rural Health Service  
103 - Primary Health Centres  
(04) - PHC's (Non-Plan)  
300 - Other Contractual Services.

11. This order issues with the concurrence of Finance (Expr.M&H.II) Dept., vide their U.O.No.4045/25/A2/Exp.M&H.II/2011, dated 21-02-2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr. P.V. RAMESH**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Director of Public Health & Family Welfare, Hyderabad.  
The individuals concerned (through DPH&FW).

**Copy to:**

The Director of Treasuries and Accounts, A.P. Hyderabad.  
The Accountant General, A.P., Hyderabad.  
The Pay and Accounts Officer, A.P. Hyderabad.  
The Finance (Expr.M&H.II) Department.  
The OSD to M(M&H)/P.S. to Principal Secretary (M&H).  
The G.P. for M&H(S), APAT, Hyderabad.  
The G.P. for M&H(S), A.P. High Court, Hyderabad.  
Sf/Sc.

//FORWARDED :: BY ORDER //

**SECTION OFFICER**

**(P.T.O. for annexure)**

**ANNEXURE**

**( in G.O.Ms.No. 35 , HM& F.W. (B2) Department, dated.28-02-2011 )**

<b>Sl.No.</b>	<b>Name &amp; Designation</b>
1	Dr.P.Sarath Kumar Babu, Associate Professor, Rangaraya Medical College, Kakinada
2	Dr.P.Rajendera Prasad, Asst. Professor of Surgery, KMC, Warangal
3	Dr.A.Pushpendranath, Civil Assistant Surgeon, MGM Hospital, Warangal
4	Dr.B.Mohan Rao, Civil Assistant Surgeon, MGM Hospital, Warangal
5	Dr.K.Ashok Anand, Civil Assistant Surgeon, MGM Hospital, Warangal
6	Dr.A.Narasimha Reddy, Assistant Professor of Gynecology, CKM Matwada, Warangal
7	Dr.B.Ramchander, Medical Officer, Primary Health Centre, Pudur, Nizamabad
8	Dr.Gouri Sankar, Medical Officer, Primary Health Centre, Makkuva, Vizianagaram
9	Dr.D.Venkata Ramana Rao, Associate Professor, Department of Anesthesiology, GMC, Secunderabad
10	Dr B.Kumar, Asst. Professor, Department of STD, GMC, Secunderabad.
11	Dr.J.Babu Rajendra Prasad, Medical Officer, ICDC Urban Project, Guntur
12	Dr.T.Anjaiah, Civil Assistant Surgeon, Primary Health Centre, Muttapally, Nalgonda
13	Dr.S.Ramkishan, Civil Assistant Surgeon, MGM Hospital, Warangal
14	Dr.C.Renukachari, Civil Assistant Surgeon, Primary Health Centre, Chandanvelly, Mahaboobnagar District
15	Dr.P.Prabhakar Guptha, Civil Assistant Surgeon, Primary Health Centre, Nagireddypalli, Prakasam District
16	Dr.Rafeeq Ahmed, Civil Assistant Surgeon, Nidigurthi, Nellore District
17	Dr.V.Pullu Reddy, Civil Assistant Surgeon, Mandal Primary Health Centre, Jarugumalli, Prakasam District
18	Dr.N.Prakash Rao, Civil Assistant Surgeon, Primary Health Centre, Kattangur, Nalgonda District
19	Dr.D.Koteswar Rao, Civil Assistant Surgeon, Community Health Centre, Devarkonda, Nalgonda District
20	Dr.K.Anjaiah, Civil Assistant Surgeon, Mandal Primary Health Centre, Nampalli, Nalgonda District
21	Dr.T.Murali Mohan, Civil Assistant Surgeon, Nalgonda District
22	Dr.C.Bhakthavatsalam, Civil Assistant Surgeon, District Hospital, Chittoor
23	Dr.G.Venkata Ratnam, Medical Officer, Primary Health Centre, Krisatipadu, Ananthapur District
24	Dr.P.Sathya Gopal, Medical Officer, Primary Health Centre, Makavaripalem, Visakhapatnam
25	Dr.P.Satya Srinivas, Professor, AMC, Visakhapatnam
26	Dr.G.Ramanujula Naidu, Civil Assistant Surgeon, Government General Hospital, Ananthapur
27	Dr.Madiraju Venkateswar Rao, Deputy Civil Surgeon (Retd.), Rangareddy District
28	Dr.M.Chenchaiah, Deputy Civil Surgeon, Community Health Centre, Allavaram, East Godavari District
29	Dr.K.Dayanda Swamy, Medical Officer, Primary Health Centre, Parvathagiri, Warangal
30	Dr.V.Thirupathaiah, O/o District Medical & Health Officer, Guntur
31	Dr.V.Gangadhar, O/o District Medical & Health Officer, Guntur

**Dr. P.V. RAMESH**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

//FORWARDED :: BY ORDER //

**SECTION OFFICER**